

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
APRIL 30, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Minister Richard Bunch, First Unity Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Presentations

1. Buddy Poppies Day - April 30
2. National Home Improvement Month - May
3. Mr. Richard Harlan "Rickie" Feuille Day - April 30
4. Dia de los Niños: Celebrating Young Americans - April 30
5. Community Development Week in El Paso - April 29-May 3
6. The Year of the Sun

*Motion made, seconded and unanimously carried to postpone two (2) weeks the Resolution that the Mayor be authorized to sign the Airport Display Agreement with the Government of the State of Chihuahua-Secretaryship of Commercial and Tourism Development, providing for the display of a large back lit map of the State of Chihuahua featuring points of interest and tourism attractions within the area at the El Paso International Airport.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the gift of \$15,000 from Mervyns for the purpose of sponsoring Museum Education Department activities to include Family Day, Art To Go Learning Kits, School Services Teacher Newsletter and Neighborhood Kids.

Ms. Becky Duval was present to comment and thanked Mervyns for their contribution.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution. Representative Cobos was not present for the vote.

Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted. Representatives Cobos and Sariñana were not present for the vote.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of March 26, 2002.
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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Lessor's Approval of Sublease between the City of El Paso and USA Jet Airlines, Inc., approving the Sublease to Aero Silza S.A. de C.V. and Aero Tomza, S.A. de C.V. for building and hangar space in the facility known as 6915 Convair Rd., El Paso, Texas.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Airline Operating Agreement and Terminal Building Lease between the City of El Paso, Texas (Lessor), Air Wisconsin Airlines Corporation (Lessee), together with related documents.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is authorized to sign a Third Amendment to Golf Course Operation and Concession Agreement between the City of El Paso, Lessor, and Golf Management, Inc., Concessionaire, for the real property known as Cielo Vista Golf Course located at 1510 Hawkins Boulevard, El Paso, Texas.

Representative Sumrall asked how the concession stand is doing as far as revenue.

Mr. Patrick Abeln, Director of Aviation, replied that the revenue presently is \$200,000 a year. He also made other comments.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution. Representative Cobos was not present for the vote.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to accept, on behalf of the El Paso Museum of Art, the first of five payments of \$5,000 and all subsequent payments toward a pledge of \$25,000 from an anonymous donor. The funds will be used in the Museum Education Program. No matching funds are required.
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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to accept, on behalf of the El Paso Museum of Art, four Southwest Airline tickets from the El Paso Museum of Art Foundation. The tickets will be used by Museum staff for travel to work-related conferences. No matching funds are required.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the FY2002 Summer Friday Concert Series "Alfresco", to be held at the Arts Festival Plaza, as recommended by the Arts Resources Department's staff.

1. Stefan Schyga for Stefan & XO Friends; one performance on Friday, May 17, 2002; cost of \$600.00.
2. John Peterson for Art Lewis & The Cincinnati Band; one performance on Friday, May 24, 2002; cost of \$500.00.
3. Fernando Lechuga for Azucar Band; one performance on Friday, May 31, 2002; cost of \$800.00.
4. El Paso Brass; one performance on Friday, June 7, 2002; cost of \$1,000.00.
5. Steve Stacey for La Onda Del Valle; one performance on Friday, June 14, 2002; cost of \$500.00.
6. El Paso Wind Symphony; one performance on Friday, June 21, 2002; cost of \$4,000.00.
7. Ma. Esther Martinez for Maria Esther, Jose and Primo 2-Man Band; one performance on Friday, June 28, 2002; cost of \$400.00.
8. Lorenzo Guel for Ceiba; one performance on Friday, July 5, 2002; cost of \$800.00.
9. Miguel Garcia for Karizma Band; one performance on Friday, July 12, 2002; cost of \$800.00.
10. David Borrego for David Borrego's Quartet; one performance on Friday, July 19, 2002; cost of \$500.00.
11. Billy Townes for Billy Townes and Modern Sessions; one performance on Friday, July 26, 2002; cost of \$500.00.
12. Marty Olivas for Eklektic Jazz Band; one performance on Friday, August 2, 2002; cost of \$1,700.00.
13. Karuna Warren for New World Drummers; one performance on Friday, August 9, 2002; cost of \$500.00.
14. U.S. Army Air Defense Artillery Center for 62nd Army Lab Band; one performance on August 16, 2002; no cost to City.
15. Cecilio Ortiz for Guaraché; one performance on Friday, August 23, 2002; cost of \$700.00.
16. Thomas Fraga for Tommy Fraga & Unlimited Jazz Combo; one performance on Friday, August 30, 2002; cost of \$500.00.

* RESOLUTION

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 12th day of February, 2002, after due notice and hearing, ordered ELIZABETH DUCKWORTH, record Owner of the hereinafter described property that the Building be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to secure the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 30, Block 37, Eastwood #9, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, El Paso County, Texas, more particularly described as 10453 Chinaberry Drive, El Paso, Texas,

to be \$5,805.90, performed by the Street Department of the City of El Paso, \$1,619.80 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$7,425.70. The City Council finds that the work was completed on the 27th day of March, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of SEVEN THOUSAND FOUR HUNDRED TWENTY-FIVE AND 70/XX DOLLARS (\$7,425.70) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

*** R E S O L U T I O N**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 21st day of August, 2001, after due notice and hearing, ordered GUILLERMO STEPHENS & 8, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 4 and 5, Block 139, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas, more particularly described as 411-413 South Florence Street, El Paso, Texas,

to be \$577.02, performed by the Street Department of the City of El Paso, \$1,042.48 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$1,619.50. The City Council finds that the work was completed on the 28th day of February, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of ONE THOUSAND SIX HUNDRED NINETEEN AND 50/XX DOLLARS (\$1,619.50) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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*** RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 30th day of October, 2001, after due notice and hearing, ordered ALBERT M. SARABIA and MICHAEL S. MOWLES, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 36, Block 76, Pebble Hills Subdivision Unit 8, a Subdivision in the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 48, Page 3, Plat Records of El Paso County, Texas, more particularly described as 3321 McLean Street, El Paso, Texas,

to be \$2,749.08, performed by the Street Department of the City of El Paso, \$1,711.25 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$4,460.30. The City Council finds that the work was completed on the 23rd day of January, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FOUR THOUSAND FOUR HUNDRED SIXTY AND 30/XX DOLLARS (\$4,460.30) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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*** RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 4th day of September, 2001, after due notice and hearing, ordered JOSE DE LA LUZ PERE AND RESENDA R. PEREZ, record Owners of the hereinafter described property that the Building be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to secure the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 2114, Block 86, Mountain View Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 1, Page 6 Plat Records of El Paso County, Texas, more particularly described as 4929 Wichita Circle, El Paso, Texas,

to be \$1,472.73, performed by the Street Department of the City of El Paso, \$601.15 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$2,072.88. The City Council finds that the work was completed on the 12th day of March, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of TWO THOUSAND SEVENTY-TWO AND 88/XX DOLLARS (\$2,072.88) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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*** RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 5th day of December, 2000, ordered MARTIN SWEED, record Owner of the hereinafter described property that the Building be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after

due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to secure the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 3 and 4, Block 74, Supplemental Map No. 1 of East El Paso, an addition to the City of El Paso, El Paso County, Texas according to the plat thereof, recorded in Volume 1, Page 51, plat records of the City of El Paso, El Paso County, Texas, more particularly described as 3505 Wyoming Avenue, El Paso, Texas,

to be \$406.71, performed by the Street Department of the City of El Paso, making a total of \$406.71. The City Council finds that the work was completed on the 28th day of February, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FOUR HUNDRED SIX AND 71/XX DOLLARS (\$406.71) to be a lien on the above described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City of El Paso, be authorized to sign the attached Release of Lien on the property (Legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this condemnation lien:

	<u>Lien Amount</u>	<u>Interest</u>	<u>Amount Paid</u>
6338 Arce Drive	\$10,033.17	\$-0-	\$1,536.61

.....

*** RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INSTRUMENT GRANTING AN OVERHEAD AND AN ANCHOR ELECTRICAL EASEMENT TO THE EL PASO ELECTRIC COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE TO FONSECA LIFT STATION #20, LOCATED ON FONSECA AVENUE BY MAINZER AVENUE (NEAR ASCARATE PARK). SAID PROPERTY MORE PARTICULARLY DESCRIBED AS A PORTION OF I.B.C. PARCEL #3, ASCARATE PARK & SURVEY #13, GM COLLINGSWORTH, TRACT 4D5, EL PASO COUNTY, TEXAS.

WHEREAS, March 13, 2002, the El Paso Water Utilities Public Service Board (PSB), passed a Resolution requesting the City of El Paso grant an overhead and an anchor electrical easement to the El Paso Electric Company for the purpose of providing electrical service to Fonseca Lift Station #20, located on Fonseca Avenue by Mainzer Avenue (near Ascarate Park) in a portion of I.B.C. Parcel #3, Ascarate Park and Survey #13, GM Collingsworth, Tract 4D5, El Paso County, Texas, and,

WHEREAS, the City Council finds it to be in the public interest that this easement be granted.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign a document granting an overhead and an anchor electrical easement to the El Paso Electric Company for the purpose of providing electrical service to Fonseca Lift Station #20, located on Fonseca Avenue by Mainzer Avenue (near Ascarate Park). Said property being more particularly described as a portion of I.B.C. Parcel #3, Ascarate Park and Survey #13, GM Collingsworth, Tract 4D5, El Paso County, Texas.

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*Motion made, seconded and unanimously carried to postpone two (2) weeks the Resolution that the Mayor be authorized to sign a Memorandum of Understanding between the Commander, U.S. Army White Sands Missile Range and the City of El Paso relating to the provision of assistance to the Missile Range by the Police Department for the recovery of hazardous materials in or near El Paso in the event that any such materials are stolen from the Missile Range.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract of Sale and related documents for the purchase of 4.308 acres of land legally described as Tract 29, H.F. Fisher Survey No. 293 in the City and County of El Paso, Texas, for the purpose of completing a park site. Said site being adjacent to Arroyo Park in El Paso, El Paso County, Texas.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SIX THOUSAND THREE HUNDRED FIFTY AND NO/100THS DOLLARS (\$6,350.00 - \$5,355 loan/\$995 grant) against the following described real property:

Lot 25, Block 5, DOLPHIN TERRACE UNIT 2, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 9, Page 22, Plat Records of El Paso County, Texas; also known and numbered as 5904 Sturgeon Drive, El Paso, Texas 79924.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of NINETY-FOUR AND 03/100THS DOLLARS (\$94.03).

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SIX THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$6,500.00 - \$6,250/\$250 loans) against the following described real property:

Lot 27, Block 11, WOMBLE ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 13, Page 32, Plat Records of El Paso County, Texas; also known and numbered as 5855 East Yandell Drive, El Paso, Texas 79905.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SEVEN THOUSAND EIGHT HUNDRED AND NO/100THS DOLLARS (\$7,800.00 - \$7,240 loan/\$560 grant) against the following described real property:

Tract 404, LOMA TERRACE NO. 5A, SECTION TWO, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 13, Page 66, Plat Records of El Paso County, Texas; also known and numbered as 8105 Cook Drive, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of ONE THOUSAND FOUR HUNDRED EIGHTY-FIVE AND 07/100THS DOLLARS (\$1,485.07).

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND FIVE HUNDRED FIFTY AND NO/100THS DOLLARS (\$8,550.00 - \$2,000 loan/\$6,550 grant) against the following described real property:

Lots 15 and 16, Block 71, GRANDVIEW ADDITION, an Addition to the City of El Paso, El Paso County, Texas, also known and numbered as 3701 Idalia Avenue, El Paso, Texas 79930.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of EIGHTY-EIGHT AND 93/100THS DOLLARS (\$88.93).

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWELVE THOUSAND SIX HUNDRED FIFTY AND NO/100THS DOLLARS (\$12,650.00 - \$11,865 loan/\$785 grant) against the following described real property:

Lot 26, Block 5, HACIENDA HEIGHTS ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in the office of the El Paso County Clerk, El Paso County, Texas; also known and numbered as 7631 Adobe Drive, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Review Appraisal Services in an amount not to exceed Three Hundred Seventy-Five and No/100ths (\$375.00) Dollars between the City of El Paso and Gayle-Reid Appraisal Services, Inc. for the review appraisal of the following parcel, in partial fulfillment of the San Juan Parking Lot acquisition project, a 27th Year (2001-2002) Community Development Project:

Lots 16 and 17, Block 7, MAP OF HUGHES SUBDIVISION OF BLOCKS 1 AND 2 OF ALAMEDA ACRES, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 13, Page 16, Plat Records of El PASO County, Texas.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Architectural Services between the City of El Paso and **Gutierrez-Borowski & Associates, PC.**, for a project known as **"South & Central Parks Improvements"** for an amount not to exceed NINE THOUSAND TWO HUNDRED FIFTY and 00/100 DOLLARS (\$9,250.00).

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Consultant Services by and between the City of El Paso and **Professional Construction Consultants, Inc.**, for cost estimating services for a period of two years in an amount not to exceed \$300,000.00.

Representative Sumrall asked what account this money was coming out of.

Ms. Irene Ramirez, Engineering Department, commented this was an open construction contract which will be used on a per project basis, as they become available.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution. Representatives Escobar and Cobos were not present for the vote.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and the following individuals in conjunction with the El Paso Public Library's Heritage Week Festival:

YUMIN BACA, MESCALEROS, to demonstrate the Apache War Dance from 9:00 a.m. to 4:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$100.00.

ALEX MARES, KIOWA NATION SPORTS SONG AND DANCE TROOP, to perform traditional story/song/dance from 10:00 a.m. to 6:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$300.00. Hotel expenses will be covered at a cost not to exceed \$150.00

RAYMOND A. SANCHEZ, KIOWA NATION SPORTS SONG AND DANCE TROOP, to perform traditional story/song/dance from 10:00 a.m. to 6:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$300.00. Hotel expenses will be covered at a cost not to exceed \$150.00.

RAYMOND A. SANCHEZ, MATACHINES, to perform native cultural dancing from 8:00 a.m. to 4:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$50.00.

NOTE: ALEX MARES, KIOWA TRIBE OF OKLAHOMA, to perform traditional story/song/dance from 10:00 a.m. to 6:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$300.00, **was revised to read:**

ALEX MARES, KIOWA NATION SPORTS SONG AND DANCE TROOP, to perform traditional story/song/dance from 10:00 a.m. to 6:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$300.00. Hotel expenses will be covered at a cost not to exceed \$150.00.

NOTE: RAYMOND A. SANCHEZ, KIOWA TRIBE OF OKLAHOMA, to perform traditional story/song/dance from 10:00 a.m. to 6:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$300.00. Hotel expenses will be covered at a cost not to exceed \$300.00, **was revised to read:**

RAYMOND A. SANCHEZ, KIOWA NATION SPORTS SONG AND DANCE TROOP, to perform traditional story/song/dance from 10:00 a.m. to 6:00 p.m. throughout the day on May 4, 2002. Contractor shall be paid a total of \$300.00. Hotel expenses will be covered at a cost not to exceed \$300.00. Hotel expenses will be covered at a cost not to exceed \$150.00.

.....
*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DEBORA A. BURNETT** as a Deputy Court Clerk I, for the Municipal Court Department at an hourly rate of \$9.97 for 20 hours per week. The term of the contract shall be for the period of May 1, 2002 through August 31, 2003.

NOTE: **Items was revised to read:** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DEBORA A. BURNETT** as a Deputy Court Clerk I, for the Municipal Court Department at an

hourly rate of \$9.97 for 20 hours per week. The term of the contract shall be for the period of May 1, 2002 through August 31, 2003.

.....
*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **RICARDO QUEZADA, JR., YSLETA DEL SUR PUEBLO DANCERS**, in conjunction with El Paso Public Library's Heritage Week Festival, to perform Native American (Tigua) social dances throughout the day at the Main Library on May 4, 2002 from 9:00 a.m. to 4:00 p.m. Performance will include audience participation

.....
*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with DAVITA MESA VISTA DIALYSIS, to lease One (1) 4 cubic yard dumpster for a service fee of \$15.00 each month for its recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
*Motion made, seconded and unanimously carried that the street improvements in the Pleasant Hills Unit Seven, Phase III Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Coral Sands Drive - from the northeast property line of Lot 27, Block 32 to the northeast property line of Lot 13, Block 16

.....
*Motion made, seconded and unanimously carried that the street improvements in the Pleasant Hills Unit Seven, Phase IV Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Reef Sands Drive - from the southeast property line of Lot 16, Block 31 to the northeast property line of Lot 1, Block 30

.....
*Motion made, seconded and unanimously carried to approve authorization that a Purchase Order be made in the amount of \$975.25 to purchase McGruff Reflective Halloween Bags for the various Park Centers in District 2.

.....
*Motion made, seconded and carried to confirm the Mayor's appointment of KEVIN ELKINS as an Assistant City Attorney at a salary of \$62,000 per annum, effective May 6, 2002 and upon being licensed with the State Bar of Texas, at a salary of \$65,000.

.....
*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Laborer (1)
- B. Zoo Keeper (1)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Personnel

Add	1.0	Clerk Typist III	GS 13
Delete	1.0	Personnel Aide	GS 13

.....
*Motion made, seconded and unanimously carried to appoint Aaron Delgado to the Plumbing/HVAC Board of Appeals by Mayor Raymond C. Caballero.

.....
*Motion made, seconded and unanimously carried to appoint Oscar Perez as an alternate board member to the Electrical Board of Appeals by Mayor Raymond C. Caballero.

.....
*Motion made, seconded and unanimously carried to appoint Don Seeley to the City Accessibility Advisory Committee by Representative Cook.

.....
*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

- A. Alley behind 3716 Oxford Ave. for \$464.00
- B. Between 300 Nopal and empty lot for \$899.00
- C. 75 feet south of Enid at Resler Dr. on existing pole for \$464.00

.....
Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Vision Financial Group Inc., in the amount of \$605.81; overpayment of 2001 taxes. (PID #2000-999-2479-0034)
- B. Hector & Maria Anchondo, in the amount of \$1,000.00; overpayment of 2001 taxes. (PID #A794-999-0040-1300)
- C. Cumming Property Tax Service, in the amount of \$16,201.74; overpayment of 2001 taxes. (PID #E072-000-0010-0300)
- D. Government Employees Credit Union of El Paso, in the amount of \$1,639.81; overpayment of 2001 taxes. (PID #G431-999-0050-0900)
- E. Mortgage Service Center, in the amount of \$2,059.42; overpayment of 2001 taxes. PID #1258-999-0010-9050)
- F. Lawyers Title of El Paso., in the amount of \$1,033.48; overpayment of 2001 taxes. (PID #S075-000-0210-22B0)
- G. Cumming Property Tax Service, in the amount of \$26,867.09; overpayment of 2001 taxes. (PID #X320-000-0000-0100)
- H. Cumming Property Tax Service, in the amount of \$13,571.28; overpayment of 2001 taxes. (PID #X320-000-0000-0200)
- I. Cumming Property Tax Service, in the amount of \$1,212.55; overpayment of 2001 taxes. (PID #X579-000-3220-1800)
- J. Todd Culbert, in the amount of \$700.00; overpayment of 2001 taxes. (PID #C340-999-1490-0400)

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

Representatives Sumrall and Rodriguez had questions in regards to the approval of the project, the completion status, and other change orders.

Mr. Gonzalo Cedillos, Engineering Department, was present to make comments and answer questions. He replied that the project has not been completed and he is awaiting approval for the continuation of the project.

Representative Sariñana commented that time is of the essence and if the item gets postponed, then it will not be ready for the opening on May 10, 2002.

Ms. Lisa Turner asked if this was budgeted for.

Mr. Charlie McNabb, Chief Administrative Officer, replied that they always leave a leeway on projects for unexpected things that might come up. He added that some of this work may have been done, but the contractor did not go out on his own without checking with someone else.

Representative Rodriguez asked for an update on the total amount of change orders. Mr. Cedillos responded he would get that information.

Mr. Ed Drusina, Director of Public Works, explained that anything above 10%, we must come to Council for approval and anything less than 10% is up to his discretion.

Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to approve Change Order No. 53 (Construction Change) to SamCorp General Contractors, Inc., for "Convention Center Expansion and Modernization" for an increased amount of \$135,668.00 for various construction adjustments necessary for project completion. Representatives Medina and Cobos were not present for the vote.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

Ms. Lisa Turner asked why the City hired temporary workers and what kind of benefits do they get.

Ms. Terry Bond, Director of Personnel, replied that the City uses temporary employees when it needs someone immediately, when there is no eligible list, and also because there are some employees out on temporary sick leave. She stated these temporary employees are not included in the health program; however, these temporary agencies offer them benefits.

Mr. Charlie McNabb, Chief Administrative Officer, commented that they like to keep these contracts open for when they need to be used, which is almost every day.

Motion made Representative Sariñana, seconded by Representative Sumrall and unanimously carried to award Bid No. 2002-105 Temporary Personnel
Representatives Medina and Cobos were not present for the vote.

Award to:	Vendor (1)	RMPersonnel Inc. El Paso, TX
Item (s):		1,2 & 6
Amount:		\$12,488.00 (estimated)
	Vendor (2)	Advance'd Temporaries, Inc. El Paso, TX
Item (s):		3, 4, & 5
Amount:		\$41,870.00 (estimated)
Department:		Personnel
Funds available:		Various
Funding source:		Various
Total award:		\$54,358.00 (estimated)

Personnel and Purchasing recommend awards as indicated as these vendors have provided the Best Value Procurement.

This is a thirty-six [36] month contract with no renewable options. Additionally, RMPersonnel, Inc. offers a 1% 10 Days Prompt Payment discount and Advance'd Temporaries, Inc. offers a 2% 10 days Prompt Payment Discount.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-107 Citywide Minor Drainage Project Improvements Group I

Contractor: F. T. James Construction, Inc.
El Paso, Texas

Department: Streets
Funds Available: 31250102-PPW0028001-27172-508027
Funding Source: FY 2000 CO's
Items: Base Bid I \$ 78,111.00
Base Bid I-A \$ 1,000.00
Base Bid II \$ 65,000.00
Total Award: \$144,111.00

The Departments of Purchasing, Engineering and Street recommend the award of this contract to F. T. James Construction, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-108 Citywide Minor Drainage Project Improvements Group II

Contractor: Silverton Construction Company, Inc.
El Paso, Texas

Department: Streets Department
Funds Available: 31250102-PPW0028001-27172-508027
Funding Source: FY 2000 COs
Items: Base Bid I \$ 53,000.00
Base Bid II \$ 31,000.00
Base Bid III \$ 27,800.00
Base Bid IV \$ 19,600.00
Total Award: \$131,400.00

The Departments of Streets, Engineering and Purchasing recommend the award of this contract to Silverton Construction Co., Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-109 Citywide Minor Drainage Project Improvements Group III

Contractor: J and J Concrete, Inc.
El Paso, Texas

Department: Streets
Funds Available: 31250102-PPW0028001-27172-508027
Funding Source: FY 2000 CO's
Items: Base Bid I \$ 62,000.00
Base Bid II \$275,000.00
Base Bid II-A \$ 3,000.00
Base Bid III \$172,000.00
Base Bid III-A \$ 2,550.00
Total Award: \$514,550.00

The Departments of Purchasing, Engineering and Streets recommend the award of this contract to J and J Concrete, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-138 Ground Maintenance for El Paso City Parks

Award to: Vendor (1): Martinez Irrigation & Landscape, Inc.
El Paso, TX
Item (s): 1, 6, 9 and 10
Amount: \$78,494.85

Vendor (2) Ledesma's Tree & Garden Service
 El Paso, TX
 Item (s): 7 and 8
 Amount: \$25,214.00

Department: Parks & Recreation
 Funds available: 51010262-502221-01101
 Funding source: General Funds, Parks Land Management,
 Ground keeping Contract
 Total award: \$103,708.85

Parks & Recreation Department and Purchasing recommend awards as indicated as these vendors have provided the Best Value Bid.

This is a thirty-six [36] months contract with no options to renew.

In addition, it is requested that the Mayor be authorize to execute any budget transfers as required.

.....
 Motion made, seconded and unanimously carried to move to the regular agenda Budget Transfer BT2002-486 - HEALTH:

Representative Sumrall asked for the reasoning behind the 22% decrease in grant funds.
 Dr. Jorge Magaña, Health Director, explained that the funds decreased due to the September 11, 2001 terrorists events. He stated investments the Department made were affected by this event.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve budget transfer BT2002-486 HEALTH. Representative Medina and Representative Cobos were not present for the vote.

Adjustment of budget due to 22% decrease in grant funds as per Texas Department of Health. Funds decreased due to September 11, 2001 events in New York City, New York.

Decrease	\$21,952	from	41150023/G41021007110/501000	Salaries
Decrease	\$ 2,342	from	41150023/G41021007110/501007	Longevity
Decrease	\$ 597	from	41150023/G41021007110/501100	Wrk's Comp
Decrease	\$ 810	from	41150023/G41021007110/501108	POS City
Decrease	\$ 15	from	41150023/G41021007110/501114	Life Insurance
Decrease	\$ 1,162	from	41150023/G41021007110/501124	City Pension
Decrease	\$ 703	from	41150023/G41021007110/501129	FICA City Mat
Decrease	\$ 165	from	41150023/G41021007110/501130	FICAMdMat
Decrease	\$10,934	from	41150023/G41021007110/502116	Promo
Decrease	\$ 6,600	from	41150023/G41021007110/502215	Outside Cont
Decrease	\$ 1,855	from	41150023/G41021007110/502302	Print Shop
Decrease	\$ 396	from	41150023/G41021007110/503100	Office Sup
Decrease	\$ 211	from	41150023/G41021007110/504002	Paging Srvcs
Decrease	\$ 1,859	from	41150023/G41021007110/504406	Oth Serv
Decrease	\$49,601	from	41150023/G41021007110/406001	State Grt Proc

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-551 AIRPORT
 .transfer funds to cover electricity cost for new cargo complex.

Increase	\$70,000	to	62620004/40101/504100	Electricity
Increase	\$70,000	to	62620004/40101/407001	Intrfd Trf In
Increase	\$70,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$70,000	to	62620018/P50000241021/507001	Intrfd Trf Out

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-569 COMMUNITY DEVELOPMENT

To budget estimated revenue from program income generated by the Community Development Block Grant Housing Revolving Loan Fund.

Increase	\$100,000	to	71150039/G710RLFCDH09903/406040	Prg Income
Increase	\$100,000	to	71150039/G710RLFCDH09903/505204	HsgRehMFam

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-573 MUSEUM OF ART

To appropriate funds from the interest revenue of the Tom Lea Endowment Fund for the conservation of paintings and the conservation and reproduction of picture frames contained in the El Paso Museum of Art Collections.

Increase	\$10,000	to	54153017/15456/407002	Est Rev
Increase	\$10,000	to	54153017/15456/502215	OutsideCont

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-585 AIRPORT
 Increase in security presence as a result of changes since 9/11/01.

Increase	\$110,000	to	62620009/40101/502212	Security Cont
Increase	\$110,000	to	62620009/40101/407001	Intrfd Trfr In
Increase	\$110,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$110,000	to	62620018/P50000241021/507001	Intrfd Trfr Out

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2002-602 AIRPORT
 To set up funding for project to repair drainage drop inlets in terminal ramp.

Increase	\$ 800	to	62620029/PAP002141059/502205	Legal Notices
Increase	\$ 800	to	62620029/PAP002141059/502302	Print Shop
Increase	\$ 300	to	62620029/PAP002141059/502304	Mailroom Chg
Increase	\$ 26,724	to	62620029/PAP002141059/508021	CityEngChgs
Increase	\$ 2,358	to	62620029/PAP002141059/508024	Testing
Increase	\$ 2,358	to	62620029/PAP002141059/508026	Inspections
Increase	\$182,024	to	62620029/PAP002141059/508027	Construction
Increase	\$215,364	to	62620029/PAP002141059/407001	Intrfd Trf In
Increase	\$215,364	to	62620018/P50000241021/407002	Est Rev
Increase	\$215,364	to	62620018/P50000241021/507001	Intrfd Trf Out

.....
 *Motion made, seconded and unanimously carried to approve the request of Del Norte Lions Club to hold a 4th of July Parade on Thursday, July 4, 2002, from 9:00 a.m. to 10:00 a.m. Route: Start at Hanks High School on Montwood and Lee Trevino; west on Montwood to Yarbrough, north on Yarbrough to Album, west on Album to Album Park, parade will disband at Album Park. Approximately 800 persons, 50 vehicles and 10 animals will take part and 10,000 spectators are anticipated. This request includes permission to use amplification (2 microphones, 2 speakers, 2 amplifiers, moving disco). PERMIT NO. 02-030

*Motion made, seconded and unanimously carried to approve the request of Sageland Elementary to block off the 7900 block of Santa Monica between La Paz and Venado on May 3, 2002 from 10:30 a.m. to 1:30 p.m. for a TAAS block party. Approximately 670 persons will participate. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 02-038

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*Motion made, seconded and unanimously carried to approve the request of Alzheimer's Association of El Paso to hold a 5k walk/run on September 21, 2002 from 6:00 a.m. to 1:00 p.m. Route: Start at parking lot of Cohen Stadium to Kenworthy, south on Kenworthy, right on Spring, left on San Andres, left on Folsom to Kenworthy, north on Kenworthy to same route back to Cohen Stadium to the finish line. Approximately 1,200 persons, 500 vehicles and 20 animals will participate and 100 spectators are anticipated. This request includes permission to use amplification (Cohen Stadium PA system & KINT 26 radio remote). PERMIT NO. 02-041

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*Motion made, seconded and unanimously carried to approve the request of Aids Project El Paso to hold a benefit run/walk on May 4, 2002 from 6:00 a.m. to 10:00 a.m. Route: Start at Stanton and Cincinnati, north to Kansas, east to Rim, north to Piedmont, east on Piedmont, south on Turney, across Stanton to O'Keefe, to McKelligon, to Stanton, return to start. Approximately 300 persons and 2 vehicles will participate and 100 spectators are anticipated. This request includes permission to use amplification (microphone, 2 amplifiers, 2 speakers). PERMIT NO. 02-046

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*Motion made, seconded and unanimously carried to approve the request of The Border Run Motorcycle Rally to hold a parade on May 5, 2002 from 1:00 p.m. to 2:00 p.m. Route: Start at Pebble Hills Shopping Center, south on Lee Trevino to Trawood, turn west on Trawood to Lomaland, south on Lomaland to Burnham, east to entrance of Barnett Harley Davidson. Approximately 1,000 persons and 700 vehicles will take part and 500 spectators are anticipated. PERMIT NO. 02-050

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No action was taken on the report from Daryl Cole, Deputy Director for Street Department.

Mr. Daryl Cole made a presentation that showed an organizational table for the Street Department. He commented that most of the staff are maintenance employees to service the city streets. He said his department averages 5,240 service requests and these requests are completed within 24 hours. He proceeded to give more details on what the department entails

Representative Sumrall commented El Paso should be thankful to have someone of Mr. Cole's caliber working for us.

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*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Ordinance No. 14996 (which created Tax Increment Financing District Number Two (No. 2), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Ordinance No. 14999 (which created Tax Increment Financing District Number Three (No. 3), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.

.....
ORDINANCE 15080

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A DEED WITHOUT WARRANTY CONVEYING TO HARVEST CHRISTIAN CENTER A PARCEL OF LAND CONSISTING OF APPROXIMATELY 19,672 SQUARE FEET, BEING TRACT 8-F-5, S. A. & M. G. R. R. SURVEY NO. 268, ABSTRACT 4707, EL PASO, EL PASO COUNTY, TEXAS.**

Motion duly made by Representative Sumrall, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion was made by Representative Power, seconded by Representative Cobos and unanimously carried to postpone three (3) weeks an Ordinance amending Title 12 (Vehicles and Traffic) to add Chapter 12.26 (Cruising), to define cruising and to prohibit cruising on certain streets of the city during designated hours; the penalty being as provided in section 12.84.010 of the El Paso Municipal Code. Representative Sumrall stepped away for a moment and was not present to vote.

Representative Power made comments on how the cruising has created a problem in his district. He proceeded to comment that they are working with car associations and they have come down to six locations where they can cruise around.

Chief Carlos Leon, Police Department, explained that the area gets very congested and there has to be a lot of police patrol. He said there have been several complaints from neighbors as far as the curfew, underage drinking, deterioration of the streets, damages to the businesses, etc. He added the Department is working with the several car associations, especially with two of them, and they have expressed that they want a visible place where they can be seen and park their cars.

Representative Sumrall expressed her opposition to this since all the people that cruise around in that area pay taxes as well and have the right to use the streets. She gave the example of the person who forgets something from the grocery store and has to go back several times to the store, she questioned how that is going to be worked out.

Representative Medina commented that unfortunately for the irresponsible acts of a few people, we all have to suffer the consequences. He expressed his support since there has been some damages to businesses and there can be a hazard when someone is driving at 10 miles per hour in a zone where the speed limit is 35 miles per hour or so.

Representative Cook expressed his concern for the person who has to go back to the store several times, echoing Representative Sumrall's comments and asked how that has been addressed in the Ordinance.

Representative Escobar commented that they can argue that they pay taxes and if they have their cars registered and have up to date inspection stickers, they have the right to use the streets; however, they have impeded on public safety. He proceeded to express his full support of this Ordinance.

Representative Sariñana commented that these cruisers also have rights and we are targeting several areas and certain individuals. He questioned what prevents these cruisers from moving into other areas, we need to provide them with locations where they can cruise. He recommended that this be taken to legislative review and sharpen up this Ordinance and make this a win-win situation.

Representative Power commented that this Ordinance has been worked on for eleven months.

Representative Sumrall made the recommendation of setting up a minimum speed limit.

Representative Cobos commented that he believes we need to establish a cruising zone before we establish a non-cruising zone and antagonize the cruisers and the police.

Commander Wiles, Police Department, expressed his concern for the safety hazards out in the area.

.....
Motion made by Representative Sumrall, seconded by Representative Cobos and carried to reject Bid 2002-082 Household Hazardous Waste Disposal Service as recommended by Purchasing and Solid Waste Management Department.

This requirement will be reviewed by the user department. A new request for bids will be revised and will be issued at a later time.

Representative Medina abstained from voting. Representative Cook, Representative Escobar, and Representative Sariñana voted Nay. Representative Sumrall, Representative Rodriguez, Representative Power and Representative Cobos voted Aye. Motion carried 4 in favor, 3 opposed, one abstention.

Mr. Byron Johnson, Director of Purchasing, was present to comment and answer questions.

Motion made by Representative Sariñana, seconded by Representative Cobos, and unanimously carried to reconsider the item.

Motion made by Representative Sumrall, seconded by Representative Cobos and carried to reject Bid 2002-082 Household Hazardous Waste Disposal Service as recommended by Purchasing and Solid Waste Management Department.

This requirement will be reviewed by the user department. A new request for bids will be revised and will be issued at a later time.

Representative Medina, Representative Cook, Representative Escobar, and Representative Sariñana voted Nay. Representative Sumrall, Representative Rodriguez, Representative Power and Representative Cobos voted Aye. Mayor Caballero voted Aye to break the tie.

.....
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to move the appeal of the denial of license (Mr. Larry Randolph) to executive session for legal advice.
See page 27 for action on this item.

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*Motion made, seconded and unanimously carried to delete the discussion and action on EPISO: religion in politics. (Anita Blair) Miss Blair was not present.

.....
No action was taken on the request that parking around City Hall shall be free on days the City Council is in session. (Lisa Turner)

Ms. Lisa Turner explained that she attended last week's Council meeting which lasted for more than four hours and the meter will only go for four hours since all the rest of the parking was full. She recommended that Council make the street metered parking free on Tuesdays or make the meters for ten hours.

Mayor Caballero questioned how do we differentiate.

Mr. Charlie McNabb, Chief Administrative Officer, commented that there is a plan to replace the meters with more modern meters.

Mr. Leopoldo Sierra stated the City should do something for its citizens.

Representative Cobos asked if it is possible to install the new electronic meters around City Hall first.

Mr. Daryl Cole, Street Department, replied that he will take that into consideration.

.....
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of **PUBLIC AFFAIRS COORDINATOR**.
- B. An Ordinance permitting Richard Campbell to use a portion of Paul Harvey Park from 4:00 PM until 8:00 PM on May 18, 2002, for a birthday party. Fee: \$60.00
- C. An Ordinance permitting Dial America to use a portion of Eastwood Album Park from 12:00 PM until 6:00 PM on May 19, 2002, for a company picnic. Fee: \$80.00
- D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets) to add a new location on Central Avenue from Raynor Street to a point 200 feet east thereof, north side only. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- E. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets) to add a new location on Festival Drive from Stanton Street to a point 2,338 feet west thereof, south side only. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- F. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets) to add a new location on Southwestern Drive from Inca Street to a point 500 feet south of Redd Road, both sides. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- G. An Ordinance granting a Special Privilege to Six Flags Events to temporarily close a portion of Boone Street between Paisano Drive and Delta Drive from May 20, 2002 through May 28, 2002. (SP-02011, Fee: \$605.00)
- H. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of **HUMAN RESOURCES PAYROLL & RECORDS OFFICER**.
- I. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to create the class of **SEWAGE COLLECTION MAINTENANCE SUPERVISOR**.
- J. An Ordinance repealing Ordinance No. 8809, for the purpose of abolishing the City of El Paso Property Damage Review Boards.

PUBLIC HEARING WILL BE HELD ON MAY 14, 2002 FOR ITEMS A - J

- K. An Ordinance changing the zoning of a Portion of Tract 2, Block 3, HUECO VIEW ACRES (3423 Lee Blvd.) from M-1 (Manufacturing) to C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: El Pescador Church, Inc./Representative: Rev. Serafin Scalise, 12241 Bob Heasley, El Paso, TX. 79938 ZC-02005

- L. An Ordinance Granting Special Permit No. SU-02001, to allow for a church on a site of less than three acres on a Portion of Tract 2, Block 3, HUECO VIEW ACRES, El Paso, El Paso County, Texas (3423 Lee Blvd.) pursuant to Section 20.42.040.K. (Zoning) of the El Paso Municipal Code. ZONE: C-4 (Commercial) Applicant: El Pescador Church, Inc./ Representative: Rev. Serafin Scalise, 12241 Bob Heasley, El Paso, TX. 79938
- M. An Ordinance changing the zoning of a Portion of Lot 1, PALO ALTO ADDITION, El Paso, El Paso County, Texas (11990 Montana Avenue) from R-3 (Residential) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Martin Jimenez, 11253 Pony Soldier, El Paso, TX. 79936 ZC-02008
- N. An Ordinance amending Ordinance No. 011761 which changed the zoning of Lots 1-10, Block 3, MESA DEL CASTILLO UNIT TWO, El Paso, El Paso County, Texas, and which imposed certain conditions, by deleting Condition No. 2 thereof for a Portion of Lot 1, Block 3, MESA DEL CASTILLO UNIT TWO (120 Bartlett Drive). The penalty being as provided in Section 20.68.010 of the Municipal Code. ZONE: C-4/sc/sp/c (Commercial/special contract/special permit/conditions) Applicant: Kenneth J. Croucher / Representative: Ron Brown Architect, 901 Wyoming, El Paso, TX. 79902 SC-02002
- O. An Ordinance amending Ordinance No. 014781 which was further amended by Ordinance No. 15031, to extend the time period of the moratorium on the issuance of permits for the construction of certain off-premise signs with certain exceptions.

PUBLIC HEARING TO BE HELD ON MAY 21, 2002 FOR ITEMS K - O

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Agreement with the Texas State Library & Archives Commission ("the Commission"), together with related documents, for a grant under the Loan Star Libraries Grant Program (Grant No. 442-02150) in the amount of \$34,553, on behalf of the El Paso Public Library. Funds received under the grant are to be spent on technology, programs, and continuing education at the Library in accordance with the Lone Star Libraries Plan of Action 2002 previously submitted to and approved by the Commission. No matching funds are required.

Motion made, seconded and unanimously carried to move to the regular agenda and to move to executive session for legal advice the Resolution that the Mayor be authorized to sign a Resolution instructing the Public Service Board to commission an independent appraisal of the approximately 50 acres of land requested for sale in Northeast El Paso; and to sell that land at or above its market value, in an expeditious manner.

*Motion made, seconded and carried to confirm the Mayor's appointment of Evan Koch as an Assistant City Attorney at a salary of \$42,000 per annum, effective May 10, 2002.

*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Library Assistant (1)
- B. Recreation Leader II (1)
- C. Cashier II (1)

*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Clerk Typist III (1)
- B. Custodial Worker (2)
- C. Personnel & Payroll Clerk (2)
- D. Traffic Signs & Markings Wrk (1)

Motion made, seconded and unanimously carried to move to the regular agenda the following:

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to approve the Staffing Table Change for Health
Add 1.0 Microbiologist PM 73

Representative Sumrall asked what the salary range was for this position.

Ms. Terry Bond, Personnel Director, stated the beginning salary for the position was around \$31,000.

*Motion made, seconded and unanimously carried to award Bid No. 2002-159 Ground Maintenance for City Parks Facilities

Award to:	Vendor (1):	Martinez Irrigation & Landscaping, Inc.
		El Paso, Texas
Group(s):		Eastside and Northwest
Amount:		\$133,313.00
	Vendor (2):	Ledesma's Tree & Garden Service
		El Paso, Texas
Group(s):		Lower Valley
Amount:		\$115,511.35
	Vendor (3):	EPDS
		El Paso, Texas
Group(s):		Central
Amount:		\$115,575.98
Department:		Parks & Recreation
Funds available:		51010262-502221-01101
Funding source:		General Funds, Parks Land Management, Groupkeeping Contracts
Total award:		\$362,575.98

Parks & Recreation Department and Purchasing recommend awards as indicated as these vendors have provided the Best Value Bid.

This is a thirty-six (36) months contract with no options to renew.

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to postpone one (1) week the discussion and action on approval of Conditional "B" building permits for Loma Linda Unit Two.

No action was taken on the report and discussion on condition of Painted Dunes Golf Course, Charles W. Nutter, Parks & Recreation Department and EAGL Inc.

Mr. Charles Nutter, Director of Parks and Recreation, explained that the item is on the agenda due to several complaints in the past few weeks about the condition of the golf course. He proceeded to comment that some corrective actions have been taken by the Managers.

Representative Cobos asked how often we reseed the greens.

Mr. Lee Wagner, Golf Course Superintendent, responded that they constantly reseed the greens. Mayor Caballero expressed that over watering the course can be sometimes a problem during spring.

Representative Cook questioned if we have any major golf tournaments that maybe jeopardized. Mr. Wagner commented that they will be having some tournaments but they will not be jeopardized.

Mayor Caballero expressed how proud we are of that golf course.

Representative Escobar asked if the Parks Department has a qualified person to maintain a golf course, such as a greens keeper. Mr. Nutter responded that not necessarily but they do inspect them occasionally.

Representative Escobar commented that every golf course in the U.S. has had some problems at one point or the other and they just deal with them as they come along.

No action was taken on the presentation by City's federal lobbyists - Quin Dodd and Jim Chapman.

Mr. Dodd and Mr. Chapman were both present. They were introduced by the Mayor at the beginning of the meeting. Both commented on their enthusiasm to work for the City of El Paso.

Motion made, seconded and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071-551.076 to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. Anthony Granberry, 02-C-029 (551.071)
- J. Samuel A. Gurrola, 02-C-021 (551.071)
- C. Robert S. Huscroft, 00-PC-038 (551.071)

- D. Juan Francisco Reyes, et al. vs. County of El Paso, TX, et al., Cause No. EP02CA0102, Our File No. 02-S-11 (551.071)
- E. Real property behind 3004 Devils Tower Circle
- F. Real property located at the 5100 block of El Paso Drive
- G. Real property located at 617 Texas
- H. Discussion and action on an appeal to City Council for denial of license. (Larry Randolph)
- I. Resolution that the Mayor be authorized to sign a Resolution instructing the Public Service Board to commission an independent appraisal of the approximately 50 acres of land requested for sale in Northeast El Paso; and to sell that land at or above its market value, in an expeditious manner.

NOTE: Real property located at 5100 block of Alameda was revised to read "Real property located at 5100 Block of El Paso Drive".

NOTE: Real property located at 517 Texas was revised to read "Real property at 617 Texas".

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
 Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried that the claim entitled **ANTHONY GRANBERRY**; Our File No. 02-C-029 be **DENIED** as recommended by the City Attorney. Representative Escobar and Sariñana were not present for the vote.

.....
 Motion made by Representative Medina, seconded by Representative Cook, and unanimously carried that the claim entitled **SAMUEL A. GURROLA**; Our File No. 02-C-021 be **DENIED** as recommended by the City Attorney. Representative Escobar and Sariñana were not present for the vote.

.....
 Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the claim entitled **ROBERT S. HUSCROFT, SR.**; Our File No. 00-PC-038 be **DENIED** as recommended by the City Attorney. Representative Escobar was not present for the vote.

.....
 Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the City Attorney's Office be authorized to **HIRE AN EXPERT WITNESS** in the case entitled **JUAN FRANCISCO REYES, et al vs. THE COUNTY OF EL PASO, TEXAS, et al**; Cause No. EP-02-CA-0102; Our File No. 02-S-11.

.....
 Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to delete the item real property behind 3004 Devils Tower Circle.

.....
 Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried that the City Attorney or her designee be authorized to negotiate, on behalf of the City of El Paso, to acquire the property municipally known and numbered as 5115 El Paso Drive, 5169 El Paso Drive, 5159 El Paso Drive and the adjacent property fronting on Colfax Street and that the Mayor be authorized to sign the resulting contracts and other documents necessary to effectuate the purchases.

.....
 Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried that the City Attorney or her designee be authorized to negotiate, on behalf of the City of El Paso, with El Paso Natural Gas to acquire the property municipally known and numbered as 617 Texas Street and that the Mayor be authorized to sign the resulting contract and all other documents necessary to effectuate the purchase.

.....

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to approve the appeal of the denial of license and instructed Mr. Larry Randolph to add all the omitted information to the application. Representative Sariñana was not present for the vote.

Representative Cook stated that denial was due to the fact that Mr. Larry Randolph had omitted some information on his application.

Mr. Larry Randolph explained that he mistakenly omitted this information due to not having his glasses.

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Resolution instructing the Public Service Board to commission an independent appraisal of the approximately 50 acres of land requested for sale in Northeast El Paso; and to sell that land at or above its market value, in an expeditious manner.

Representative Cook asked that Council consider this as a semantic issue. He said he recommended that a few changes in the wording be made to make it more definite and that this not become a legal issue. He also commented that the Northeast area desperately needs to continue growing and asked Council that we give more emphasis on the instructions that we give to the Public Service Board.

Representative Sumrall expressed her support of the sale of 50 acres in the Northeast but stated that she is concerned with the blanket sale of all land without having a very specific plan on how we are going to use it.

Mayor Caballero stated that the PSB has not sold any specific land for residential use since 1996. There are plans to use this land for other projects that will benefit the Northeast.

Motion made by Representative Cook, seconded by Representative Power and carried to approve the above Resolution. Representatives Rodriguez and Medina voted Nay. Representative Sumrall abstained from voting.

NOTE: Mayor Raymond C. Caballero vetoed this item. See memo to the City Clerk below:

M E M O R A N D U M

TO: Carole Hunter
City Clerk

FROM: Mayor Raymond C. Caballero

DATE: April 30, 2002

SUBJECT: Veto of Council Action

The purpose of this memorandum is to notify Council that I disagree with the action taken on the following item on the Agenda for the City Council meeting of April 30, 2002:

REGULAR COUNCIL MEETING - APRIL 30, 2002

Additions to the Agenda - Item 1.B.

That the Mayor be authorized to sign a Resolution instructing the Public Service Board to commission an independent appraisal of the approximately 50 acres of land requested for sale in Northeast El Paso; and to sell that land at or above its market value, in an expeditious manner.

I hereby veto the action of the City Council on this item. The reason for my veto is:

The bond indentures creating the Public Service Board vest the full power of management and control of the Water Utility in the Board and any action of Council instructing the Board has no effect and is in essence a nullity and I will not approve any such Resolution.

cc: City Council

.....
Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to adjourn this meeting at 12:35 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Carole Hunter, City Clerk



Rita Rodriguez, City Attorney